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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/516,794	08/12/2005	Aloys Wobben	970054.479USPC	7319
500 7590 01/13/2010 SEED INTELLECTUAL PROPERTY LAW GROUP PLLC 701 FIFTH AVE SUITE 5400 SEATTLE, WA 98104				
EXAMINER BOATENG, ALEXIS ASIEDUA				
ART UNIT 2858		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/516,794

**Applicant(s)**

WOBBEN, ALOYS

**Examiner**

Alexis Boateng

**Art Unit**

2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/02/09.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 5-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI.08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Interval Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-13, 15 – 18, and 21 - 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Goldman (WO 92/03869).

**Regarding claim 1**, Goldman teaches an apparatus for receiving and transporting electrical energy, comprising:

a storage device (figure 1 item 14) formed from a plurality of storage elements (figure 1 item 16); and

a vehicle (figure 1 item 22) having a connection for receiving electrical energy from an external source (figure item 20) and for transmitting electrical energy from the storage device to an external load (figure it item 18), wherein the storage device is arranged as a payload for the vehicle and in the receiving and transmitting of the electrical energy the storage device remains arranged as a payload for the vehicle (page 7 lines 6 – 16).

**Regarding claim 2**, Goldman discloses the apparatus as set forth in claim 1 wherein the storage elements comprise accumulators (figure 1 item 44).

**Regarding claim 3**, Goldman discloses the apparatus as set forth in claim 1 wherein the plurality of storage elements are combined to form storage device groups (figure 1 item 14).

**Regarding claim 5**, Goldman discloses the apparatus of claim 1, further comprising: fixed stations for charging up (figure 2 item 48) and discharging the storage device (figure 1 item 18).

**Regarding claim 6**, Goldman discloses the apparatus of claim 5 wherein the fixed stations comprise:

intermediate storage devices for intermediate storage of the electrical energy (figure 4 item 88).

**Regarding claim 7**, Goldman discloses the apparatus of claim 1, further comprising: at least one electrical collective connection for a plurality of elements (page 8 item 16 - 26).

**Regarding claim 8**, Goldman discloses the apparatus of claim 1, further comprising: at least one opening in each storage element for introducing or draining off a fluid (page 8 lines 16-26)

**Regarding claim 9**, Goldman discloses the apparatus of claim 8 further comprising one or more collecting conduits which connect the openings of the storage elements together (figure 3 item 54).

**Regarding claim 10**, Goldman discloses the apparatus of claim 9 wherein the collecting conduit opens into a container on board the vehicle (figure 4 item 74).

**Regarding claim 11**, Goldman discloses the apparatus of claim 1, further comprising: a device for monitoring individual storage elements (figure 2 item 42 and 58).

**Regarding claim 12**, Goldman discloses the apparatus as set forth in claim 11 wherein the monitoring device is configured to indicate an operating condition of at least one of individual storage elements or storage device groups (page 10 lines 34 – page 11 line 10).

**Regarding claim 13**, the apparatus of claim 11 wherein the monitoring device is arranged on board the vehicle (page 10 lines 34 – page 11 line 10).

**Regarding claim 15**, Goldman discloses a method of storing and transporting electrical energy by means of a vehicle carrying an electrical storage device as a payload, comprising the steps of:

receiving electrical energy from a source external to the vehicle (figure 1 item 10);

charging the storage device with the received electrical energy (page 7 lines 25 – 36);

transporting the vehicle to a destination (page 7 lines 37 – page 8 line 18);  
and

discharging the storage device at the destination (page 7 lines 37 – page 8 line 18).

**Regarding claim 16**, Goldman discloses the method as set forth in claim 15, further comprising:

draining a fluid contained in the storage device after charging of the electrical energy into the storage device but prior to transport of the storage device to the destination (figure 3 item 60); and

introducing a fluid into the storage device after transport of the storage device to the destination but prior to removal of the electrical energy fluid (figure 3 item 66).

**Regarding claim 17**, Goldman discloses the method as set forth in claim 16 further comprising:

cleaning the fluid after removal (figure 4 item 78); and

storing the cleaned fluid (figure 4 item 88).

**Regarding claim 18**, Goldman discloses the method as set forth in claim 15, wherein transporting the vehicle to a destination comprises removing a container of storage device fluid from the vehicle (figure 1 item 18).

**Regarding claim 21**, Goldman discloses the apparatus of claim 1, further comprising:

fixed stations for converting the electrical energy (figure 3 item 60).

**Regarding claim 22**, Goldman discloses the apparatus of claim 1, further comprising:

a device for controlling a charging/discharging operation (figure 2 items 42 and 58).

**Regarding claim 23**, the apparatus of claim 1, further comprising:

a device for supplying or removing fluid (figure 3 item 66 and 60).

**Regarding claim 24**, Goldman discloses the apparatus of claim 1, further comprising

a device for controlling the charging/discharging operation and for supplying or removing fluid (figure 2 items 42 and 58).

**Regarding claim 25**, Goldman discloses a vehicle, comprising:

means for storing electrical energy received from an external source at a first location, wherein the means for storing electrical energy is arranged as a payload for the vehicle (figure 4 item 74) and means for discharging the stored electrical energy at a second location (page 8 lines 27 – page 9 line 5).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman (WO 92/03869) in view of Gupta (U.S. 5,349,535).

**Regarding claim 14**, Gupta does not the apparatus of claim 11 wherein the device includes at least a microprocessor and a memory. Gupta teaches wherein the device at least a microprocessor and a memory (column 6 lines 54 - 69). At the time of invention, it would have been obvious to a person of ordinary skill in

the art to modify the Goldman system with the Gupta system so that battery charge may be monitored to prevent damage.

**Regarding claim 19**, Goldman discloses a method a method of storing and transporting electrical energy by means of a vehicle carrying an electrical storage device as a payload, comprising the steps of:

receiving electrical energy from a source external to the vehicle (figure 1 item 10);

charging the storage device with the received electrical energy (page 7 lines 25 – 36);

transporting the vehicle to a destination (page 7 lines 37 – page 8 line 18);

discharging the storage device at the destination (page 7 lines 37 – page 8 line 18);

draining a fluid contained in the storage device after charging of the electrical energy into the storage device but prior to transport of the storage device to the destination (figure 3 item 60);

introducing a fluid into the storage device after transport of the storage device to the destination but prior to removal of the electrical energy fluid (figure 3 item 66).

Goldman does not teach monitoring a number of charge/discharge cycles for each storage element; and outputting a corresponding notification when a predetermined number of cycles is reached.



Gupta teaches monitoring a number of charge/discharge cycles for each storage element; and outputting a corresponding notification when a predetermined number of cycles is reached (column 10 lines 10 – 19 and column 11 66 - column line 8). At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify the Goldman art with the Gupta art so that the charge is properly monitored and the information is provided to the user.

5. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman (WO 92/03869) in view Okada (U.S. 5,960,898).

**Regarding claim 20**, Goldman discloses the apparatus as set forth in claim 1 wherein the storage elements comprise capacitors. Okada discloses in the abstract wherein capacitors are storage elements within the vehicle. At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify the Goldman system with the Okada system to provide a quick charging for the storage elements.

### ***Response to Arguments***

6. Applicant's arguments filed 10/02/09 have been fully considered but they are not persuasive. **Regarding claim 1**, the applicant argues that the Goldman system does not teach a storage device arranged as a payload for a vehicle. Goldman discloses on page 6 lines 32 - page 7 line 16 wherein the storage battery bank , item 14, comprises a bank of electrolytic cells that store energy to charge an energy slurry. The energy from the slurry is stored and then provides energy to other storage energy devices or directly

to the vehicles. The Goldman teaches a the energy storage devices as payloads on the vehicle, as they provide power to another device. Goldman discloses in figure 3 wherein the vehicle use the electrical energy as cargo, transporting and storing energy.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexis Boateng whose telephone number is (571) 272-5979. The examiner can normally be reached on 8:30 am - 6:00 pm, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Assouad can be reached on (571) 272-2210. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Edward Tso/  
Primary Examiner, Art Unit 2858

AB